

UNITED STATES DISTRICT COURT

SEP 13 2020

for the

David J. Bradley, Clerk

Southern District of Texas

United States of America

v.

Hermenegildo ESPINO Trejo (1980/MX)

Case No. M-20-1801-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 09/11/2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section	Offense Description
21 USC § 952	Importation of, and conspiracy to import, a controlled; to wit, approx 148 kilograms of methamphetamine and 1 kilogram of heroin.
21 USC § 963	
21 USC § 960	Conspiracy to possess with intent to distribute a controlled substance; to wit, 148 kilograms of methamphetamine and 1 kilogram of heroin.
18 USC § 2	Aiding and abetting
21 USC § 846	

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complaint authorized by: AUSA Matthew Redavid

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. 4.1, and probable cause found on:

Date:

9/13/2020 @ 5:23pm

McAllen, Texas

City and state:

/s/ Jaris D Jones

Complainant's signature

Jaris D Jones, HSI Special Agent

Printed name and title

Judge's signature

U.S. Magistrate Judge J. Scott Hacker

Printed name and title

Attachment A

On September 11, 2020, a tractor trailer displaying Mexican license plates, driven by Jesus Aureliano TREJO Vera, applied for admission at the port of entry in Pharr, TX. The tractor was hauling a reefer trailer with Mexican plates and manifesting avocados. TREJO identified himself as a Mexican national and was in possession of a valid B1/B2 Visa Border Crossing Card. At primary, Customs and Border Protection officers (CBPO)s referred the conveyance for a non-intrusive exam due to its minimal crossing history.

During an x-ray scan of the conveyance, CBPOs observed several anomalies in the floor of the trailer. The conveyance and driver were escorted to secondary screening. While in secondary inspection TREJO was questioned regarding his intended destination and manifest. TREJO stated the conveyance was to be delivered to the tractor-trailer's original driver, later identified as Hermenegildo ESPINO Trejo (ESPINO), who was waiting for him at the Valero Gas Station located near the intersection of Military Highway and South Cage Boulevard.

CBPOs conducted a K-9 sweep of the trailer; the K-9 alerted to the odor of narcotics emitting from the trailer's floor area. CBPOs drilled several holes around the suspect area; officers used a probe to extract a white powdery substance yielding a positive field test result for the properties of methamphetamine. A total of 48 bricks containing methamphetamine (148 kilograms) and 1 brick of heroin (1.094 kilograms) were removed from the compartment, both controlled substances.

CBPOs and Homeland Security Investigations (HSI) special agents (SA) conducted surveillance near the identified area. Shortly thereafter, SAs located a male, resembling the driver's (ESPINO) description, standing in the convenience store parking lot at approximately 10:27 PM. The driver was the only male standing outside the parking lot at that time. SAs consensually approached the male, identified themselves as law enforcement and asked him if he needed assistance. He stated he was waiting for his driver "Chuy" (a nickname associated with Jesus TREJO) and tractor-trailer to meet him so he could deliver the produce and return to Mexico. He stated he came from Mexico earlier in the day. SAs were able to positively identify the male as ESPINO. ESPINO was subsequently detained by SAs.

At approximately 11:30 PM, CBPOs and SAs interviewed TREJO. During a post-Miranda interview TREJO stated that he had been driving for two different Mexican trucking companies and had never had any issues when making crossings into the United States. TREJO admitted that he had been driving for the company that is owned in part by ESPINO for approximately 9 months. TREJO stated that ESPINO had driven the tractor and trailer from Michoacán to Reynosa and the two met up in Reynosa at the Mexican import lot. ESPINO ordered TREJO to drive the tractor and trailer with avocados to the U.S. because he had driven too many hours. TREJO was to meet ESPINO at the Valero in Pharr, TX and ESPINO was to take possession of the tractor trailer at that time. TREJO claimed to have no knowledge of any drug in this shipment or any prior shipments that he has driven for ESPINO.

On September 12, 2020 at approximately 12:57 PM, CBPOs and SAs interviewed ESPINO. During a post-Miranda interview, ESPINO stated that he was waiting for "Chuy" (TREJO) at the Valero so that he could get his truck from him. ESPINO crossed from Reynosa into Hidalgo, TX via the Pedestrian lane at the Hidalgo Port of Entry (POE). ESPINO stated that he owns a trucking company. ESPINO told the agents that he stores the trucks in a secure location in order to prevent unauthorized access. Upon further questioning, ESPINO admitted to knowledge of drugs being in the trailer of the truck, but claimed that he did not know the type or amount. ESPINO explained he became involved in drug trafficking in order to pay off approximately \$100,000 in debt he had acquired from certain individuals in Mexico.

ESPINO admitted that TREJO would have no knowledge of the drugs in the shipment because he had never told TREJO about the drugs or his involvement in drug trafficking. ESPINO indicated that once TREJO would successfully cross the drug loaded trailer from Mexico to the United States, he (ESPINO) would take possession of the trailer and transport it to another location where other individuals would take possession of the trailer and controlled substances for further distribution.

During the course of the investigation, SAs also obtained consent from both TREJO and ESPINO to search their cellphones. SAs discovered that TREJO and ESPINO had been in contact with each other telephonically until the vehicle was sent to secondary inspection at the port of entry.